

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|  |   |                           |
|--|---|---------------------------|
| <b>SECURITIES AND EXCHANGE<br/>COMMISSION,</b> | ) | <b>CASE NO. 8:10CV102</b> |
|  | ) |                           |
|  | ) |                           |
| <b>Plaintiff,</b>                              | ) |                           |
|  | ) |                           |
|  | ) | <b>ORDER</b>              |
| <b>v.</b>                                      | ) |                           |
|  | ) |                           |
|  | ) |                           |
| <b>RAJNISH K. DAS and STORMY L.<br/>DEAN,</b>  | ) |                           |
|  | ) |                           |
|  | ) |                           |
| <b>Defendants.</b>                             | ) |                           |

This matter is before the Court on the Plaintiff's Motion for Remedial Relief and Entry of Final Judgment Against Defendants (Filing No. 228).

IT IS ORDERED that:

In the Defendants' response to the Plaintiff's Motion for Remedial Relief and Entry of Final Judgment Against Defendants (Filing No. 228), the Defendants shall disclose: (1) whether any of their attorneys fees, costs, and expenses of this litigation have been paid by InfoUSA, Inc. ("Info"), and, if so, (2) the amount of such attorneys fees, costs, and expenses paid by Info to date, as well as those accrued and expected to be paid by Info.

The disclosure may be made by affidavit of counsel, filed under seal.

If any of the Defendants' attorneys fees, costs, and expenses of this litigation have been paid by Info, the Defendants will address in their briefs in response to the Plaintiff's Motion (1) whether restitution to Info can and should be included by this Court in its order for remedial relief and final judgment, (2) whether such restitution should take precedence over any civil penalty, (3) the Defendants' proposal for making any such restitution, and (4) whether any supersedeas bond posted by Defendants in the event of an appeal should cover Defendants' obligation for such restitution as well as for any civil penalty. The

Defendants' briefs will also address whether, under applicable law or under contract, Defendants assert any right to indemnification from Info for any civil penalties that may be imposed.

If any of the Defendants' attorney fees, costs, and expenses of this litigation have been paid by Info, then the Plaintiff, in its reply brief, will address (1) whether restitution to Info can and should be included by this Court in its order for remedial relief and final judgment, (2) whether such restitution should take precedence over any civil penalty, and (3) whether any supersedeas bond posted by Defendants in the event of an appeal should cover Defendants' obligation for such restitution as well as for any civil penalty. Plaintiff may also respond to Defendants' assertion, if any, of a right of indemnification from Info for any civil penalties that may be imposed.

DATED this 12<sup>th</sup> day of March, 2012.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge